THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

W.P.No.3536 of 2006

DATED:24.02.2006

BETWEEN:

Shaik Khajavali ..Petitioner

And

Deputy Transport Commissioner & Secretary, Regional Transport Authority, Nellore, Nellore Distrct and another

..Respondents

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ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

This writ petition is filed questioning the seizure of the petitioner's Goods Carriage – L.M.V. bearing No.AP 16 V 2380 on 24.01.2006 by the second respondent.

The check report prepared at the time of seizure of the vehicle in question discloses that there are certain allegations with regard to violation of the provisions of the Motor Vehicles Act and Rules made thereunder.

With regard to the allegations made, it is for the first respondent to conduct enquiry into those allegations and pass final orders. As the enquiry takes some time, I dispose of the writ petition directing the respondents to release the goods carriage in question on condition of the petitioner depositing Rs.5,000/- (Rupees five thousand only) and also on furnishing an undertaking that he will not alienate, transfer, encumber or create any third party interest over the vehicle in question till the final orders are passed by the first respondent pursuant to the seizure. It is made clear that the amount deposited and undertaking given by the petitioner are subject to the final orders to be passed by the first respondent in the enquiry.

Subject to the above direction, the writ petition is disposed of at the stage of admission.

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R.SUBHASH REDDY, J

Dated:24.02.2006

NOTE: Furnish C.C. by 25.02.2006

(B/o) GJ